

REMARKS

Summary of Office Action

Claims 1-16, 18-36, 38-56, 58-75 and 77-95 are pending.

Claims 1-16, 18-36, 38-56, 58-75 and 77-95 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Claims 1, 2, 4, 5, 7, 18-22, 24, 25, 27, 38-42, 44, 45, 47, 58-62, 64, 65, 67, and 78-83 were rejected under 35 U.S.C. § 102(e) as being anticipated by Shah-Nazaroff et al. U.S. Patent No. 6,157,377 ("Shah-Nazaroff"). Claims 3, 6, 8-16, 23, 26, 28-36, 43, 46, 48-56, 63, 66, 68-75 and 77 were rejected under 35 U.S.C. § 103(a) as being obvious from Shah-Nazaroff in view of various combinations of Hofmann U.S. Patent No. 5,883,677 ("Hofmann"), Matthews III et al. U.S. Patent No. 5,815,145 ("Matthews"), Banker U.S. Patent No. 5,485,221 ("Banker"), Lett U.S. Patent No. 5,771,064 ("Lett"), Lewis U.S. Patent Application No. 2003/0040962 ("Lewis"), Aristides U.S. Patent No. 5,630,119 ("Aristides"), Rosin U.S. Patent No. 6,028,600 ("Rosin"), and Hooper U.S. Patent No. 5,414,455 ("Hooper").

Claims 84-95 have not been rejected in view of any prior art. Applicant understands this to mean that these claims are patentable over the prior art of record. Applicant appreciates the apparent indication of allowable subject matter in claims 84-95.

Summary of Applicant's Reply

Applicant has amended claims 1, 21, 41 and 61 in order to more particularly define the claimed invention. The claim amendments are fully supported by the application as

originally filed and therefore do not add new matter (see, e.g., applicant's specification at paragraphs 86, 87 and 93).

The Examiner's rejections are respectfully traversed.

Applicant's Reply to the Section 112 Rejection

Claims 1-16, 18-36, 38-56, 58-75 and 77-95 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner alleges that the limitation "examining, without receiving user input" is not supported. Applicant respectfully traverses this rejection.

Applicant has amended independent claims 1, 21, 41 and 61 in order to more particularly define the claimed invention. Applicant respectfully submits that claims 1, 21, 41 and 61 and claims 2-16, 18-20, 22-36, 38-40, 42-56, 58-60, 62-75 and 77-95 which depend, directly or indirectly, from claim 1, 21, 41 and 61 do not fail to comply with the written description requirement. Accordingly, applicant respectfully requests that the Section 112 rejection be withdrawn.

Applicant's Reply to the Prior Art Rejections

Applicant respectfully submits that Shah-Nazaroff fails to show or suggest receiving a user request to display a first set of on-demand media data and in response (1) displaying the first set of on-demand media data and (2) identifying a second set of on-demand media data that corresponds to the displayed first set, as defined by applicant's amended independent claims 1, 21, 41 and 61.

First, the Examiner alleges that the receiving of listings information in Shah-Nazaroff is the same as applicant's claimed displaying a first set of on-demand media

data (Office Action, page 3). Applicant respectfully disagrees. Applicant's claims require for data to be displayed which is different from the mere receipt of data from a source, as alleged by the Examiner. Furthermore, even if the receipt were the same as the claimed display, Shah-Nazaroff states that the programming information is automatically received which is different from applicant's claims that require the data to be displayed in response to receiving a user request for that data to be displayed. Finally, although Shah-Nazaroff discloses the display of on-demand movies in connection with FIG. 5, nowhere does Shah-Nazaroff show or suggest those on-demand movies being displayed in response to receiving a user request.

Second, even assuming arguendo that the on-demand movies of FIG. 5 in Shah-Nazaroff were displayed in response to a user input, Shah-Nazaroff still fails to show or suggest identifying a second set of on-demand media data that corresponds to the displayed first set in response to that same user request. At best, Shah-Nazaroff discloses the downloading of an on-demand movie when a user selects the corresponding on-demand listing (Shah-Nazaroff, col. 6, lines 15-50). However, the selection of a listing for downloading a movie in Shah-Nazaroff is not the same as applicant's claimed user request since the selection of the listing does not cause both (1) a set of on-demand media data to be displayed and (2) a second set of on-demand media data corresponding to the displayed set to be identified, as required by applicant's claims.

Therefore, Shah-Nazaroff does not show or suggest all the features of applicant's claims 1, 21, 41 and 61.

Hofmann, Matthews, Banker, Lett, Lewis, Aristides, Rosin and Hooper, which the Examiner uses in the rejection of other elements of applicant's dependent claims, do not make up

for the deficiencies of Shah-Nazaroff relative to the rejection.

For at least these reasons, applicant respectfully submits that claims 1, 21, 41 and 61, and claims 2-16, 18-20, 22-36, 38-40, 42-56, 58-60, 62-75, and 77-95, which depend, directly or indirectly, variously from claim 1, 21, 41 or 61 are allowable over the art of record.

Conclusion

For at least the reasons set forth above, applicant respectfully submits that this application is in condition for allowance. Reconsideration and prompt allowance are respectfully requested.

Respectfully submitted,

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